

Court Delay Is Break for 2 TV Nets

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The CBS and NBC networks won a partial strategic victory yesterday when the Supreme Court announced postponement of oral arguments in a Federal Communications Commission "fairness doctrine" case involving a broadcaster in Red Lion, Pa.

In a brief order the Court said it would not hear the Red Lion case until the networks and the FCC have received a ruling from the 7th U.S. Circuit Court of Appeals in Chicago on the networks' attack

on the FCC's broad "fairness" and "personal attack" rules.

The FCC was hoping for an early ruling sustaining its order directing the Red Lion Broadcasting Co. to give free air time to writer Fred Cook, victim of an attack on his loyalty by a right-wing commentator, the Rev. Billy Hargis, over Red Lion's station WGCB.

The networks tried to delay the Red Lion case, apparently fearing that it offered a strong case for the FCC's power to compel broadcasters to provide free time for opposing views. They moved in both courts to have the Supreme Court hear the cases together and the FCC and Justice Department filed papers in opposition.

The Supreme Court rejected a network petition to hear its general attack on FCC rules in advance of a 7th Circuit ruling, but the order delaying the Red Lion case accomplished much of the networks' objective.